

EXHIBIT

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES, and FACEBOOK,
INC.,

Defendants.

MARK ZUCKERBERG, and
THEFACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

CIVIL ACTION NO. 1:04-cv-11923
(DPW)

**PLAINTIFF AND COUNTERCLAIM DEFENDANTS'
FOURTH SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and the Court's November 18, 2005 Order, Plaintiff and Counterclaim Defendants (collectively, "Plaintiff") hereby serve this Fourth Set of Interrogatories on Defendants and Counterclaim Plaintiffs (collectively, "Defendants") and request that Defendants respond by producing the requested documents at the offices of Plaintiff's counsel, FINNEGAN,

HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., 901 New York Avenue,
N.W., Washington, D.C. 20001, no later than thirty (30) days after service hereof.

DEFINITIONS AND INSTRUCTIONS

In addition to the definitions and instructions in Plaintiff and Counterclaim Defendants' Second Request for the Production of Documents and Things, which are incorporated herein by reference, Plaintiff and Counterclaim Defendants adopt the following definitions:

1. As used herein, "TheFacebook, Inc.", "Facebook, Inc.", "TheFacebook.com", and "Facebook.com" shall mean Facebook, Inc. and facebook.com f/k/a TheFacebook, Inc. and thefacebook.com, including Mark Zuckerberg, Eduardo Saverin, Dustin Moskovitz, Andrew McCollum, and/or Christopher Hughes, and others acting or purporting to act on Facebook, Inc.'s or Mark Zuckerberg's behalf.
2. As used herein, "you" and "your" shall mean Facebook, Inc. and its officers, directors, agents, principals, employees, consultants, attorneys, expert witnesses, and others acting or purporting to act on Facebook, Inc.'s behalf, and including all past and present subsidiaries, parents, affiliates, divisions, departments, and predecessor(s) thereof.
3. As used herein, "Content" shall mean (a) the computer program code for the website to be known as Harvard Connection, as provided to Mr. Zuckerberg, (b) any versions of the computer program code for the website to be known as Harvard Connection containing any changes or computer program code written by Mr.

Zuckerberg, (c) the computer program code and database definition for

thefacebook.com website as it existed before the website launched on February 4,

2004, (d) the computer program code and database definition for thefacebook.com website as it existed on February 4, 2004, (e) the computer program code and database definition for thefacebook.com website as it existed after the February 4, 2004 launch date and before October 31, 2004, (f) the computer program code for Mr. Zuckerberg's website known as "facemash," (g) Mr. Zuckerberg's facemash online journal as referenced in the November 4, 2003 Harvard Crimson, (h) Mr. Zuckerberg's coursematch computer program, and/or (i) the computer program code and online journal sought by Plaintiff's Production Request Nos. 30, 35, 36, 48, 49, 52-54, 64-66, 68, 116-123, 180-82, 184, 185, and 187 (inclusive).

4. As used herein, "Computer(s)" shall mean any type of computer, CPU, server, hard drive, or other electronic memory device or electronic storage device (including but not limited to backup disks, CDs, DVDs, tapes, flash memory cards, USB drives, zip drives, etc.).

INTERROGATORIES

INTERROGATORY NO. 25

Describe in detail your efforts from

(a) October 2003 through November 17, 2005, and

(b) November 18, 2005 to the date of your response

to locate, retrieve, recover, and/or image any Content (including without limitation any deleted or corrupted Content) present, stored, or residing on, or deleted from, any

and all Computers in your possession, custody, or control, or in the possession, custody, or control of your website hosting service provider(s), and state the basis for your assertion that such efforts were performed, including but not limited to identifying each Computer and place you searched; how and why such Computer(s) or place(s) were selected for review or search; the details of your search methodology; the measures you took to preserve, find, recover, retrieve, and/or image any lost, deleted, or corrupted Content; the measures you took to determine if, when, and how any such Content was lost, deleted, or corrupted, and by whom; the identity of the person who conducted each search or analysis or performed such measures; the date and time each search or analysis was conducted or such measures were performed; the results of each search, analysis, or such measures; the development and revision history of any Content in your possession, custody, or control, or in the possession, custody, or control of your website hosting service provider(s) at any time; and the development and revision history of Mr. Zuckerberg's alleged contributions to any Content.

INTERROGATORY NO. 26

Describe in detail your efforts from

- (a) October 2003 through November 17, 2005, and
- (b) November 18, 2005 to the date of your response

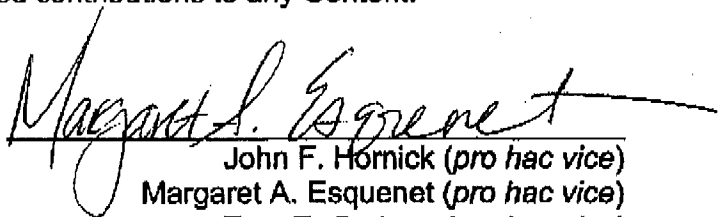
to forensically examine any and all Computers in your possession, custody, or control, or in the possession, custody, or control of your website hosting service provider(s), to attempt to locate, retrieve, recover, and/or image any Content (including without limitation any deleted or corrupted Content), and state the basis for your

assertion that such efforts were performed, including but not limited to identifying each

~~Computer you examined; how and why such Computer(s) were selected for~~

examination; the details of your examination methodology; the measures you took to preserve, find, retrieve, recover, and/or image any lost, deleted, or corrupted Content; the measures you took to determine if, when, and how any such Content was lost, deleted, or corrupted, and by whom; the identity of the person who conducted each examination or performed such measures; the date and time each search or examination was conducted or such measures were performed; the results of each search, examination, or such measures; the development and revision history of any Content in your possession, custody, or control, or in the possession, custody, or control of your website hosting service provider(s) at any time; and the development and revision history of Mr. Zuckerberg's alleged contributions to any Content.

Dated: January 5, 2006



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the enclosed NOTICE OF FED. R. CIV. P. 30 (b)(6) DEPOSITION OF FACEBOOK, INC., PLAINTIFF AND COUNTERCLAIM DEFENDANTS' THIRD REQUEST FOR THE PRODUCTION OF DOCUMENTS AND THINGS, and PLAINTIFF AND COUNTERCLAIM DEFENDANTS' FOURTH SET OF INTERROGATORIES were served by hand and by facsimile on January 5, 2006 to the following:

Robert D. Nagel, Esq.
Joshua H. Walker, Esq.
Neel I. Chatterjee, Esq.
Monte Cooper, Esq.
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and by facsimile on January 5, 2006 to the following:

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